



Attorney Docket: 27062U  
Date: January 11, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Art Unit: Unknown  
ODERMATT, et al. Examiner: Unknown  
Serial No.: 10/553,443  
Filed: October 14, 2005  
Title: **PLANAR IMPLANT AND SURGICAL USE THEREOF**

## INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

An Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. 1.97-1.98. Please note the following particulars: **[NOTE: One only of items a, b, c, and d must be checked.]**

- ☐ [XXX] a. The enclosed statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.
- ☐ [ ] b. The enclosed statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311.  
The enclosed statement is accompanied by [check one]:  
☐ [ ] i. a certification in part (e) below as specified in 37 C.F.R. 1.97(e), or  
☐ [ ] ii. a check in the amount required by 37 C.F.R. 1.17(p).
- ☐ [ ] c. The enclosed statement is being filed after the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311, but before payment of the issue fee.  
☐ [ ] Certification report(e) below; and

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☐ a check in the amount as required by 1.17(p).

☐ d. The enclosed statement is being filed pursuant to 37 C.F.R. 1.97(i), for placement in the file.

☐ e. Certification [Check one] [Certification is required only if box (b)(i) or box (c) is checked.]

☐ I hereby certify that each item of information contained in the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,

or

☐ I hereby certify that no item of information in the enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

or

☐ Appropriate certification is attached.

[XXX] f. If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 14-0112.

[XXX] g. Copies of the documents are attached herewith with a completed Form PTO-1449.

or

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[ ] Copies of the documents are not attached as allowed under CFR 1.98(d)(1)(2). The earlier application is identified as:

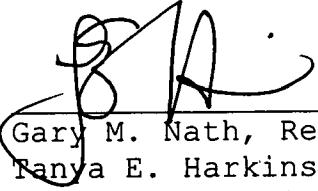
and / or

[XXX] Copies of US Patents/Publications not attached as allowed in Official Gazette Aug. 5, 2003/ Vol. 1273, no. 1.

The Examiner is respectfully requested to cite the documents listed on the attached Form PTO-1449 in the next Office Action. In so doing, the Examiner is respectfully requested to initial in the space adjacent to the listing of each document on the Form PTO-1449, and return a copy of the initialed Form PTO-1449 with the next communication to Applicants, to confirm that these documents have been considered by the Examiner and made of record in this application.

If the Examiner has any questions or wishes to discuss this application, kindly telephone the undersigned at the below-listed number.

Respectfully submitted,  
**NATH & ASSOCIATES PLLC**



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FORM PTO-1449			In re Application of: ODERMATT, et al.		Art Unit: Unknown
<u>INFORMATION DISCLOSURE CITATION</u>			Serial No: 10/553,443	Filed: October 14, 2005	Examiner: Unknown

U.S. PATENT DOCUMENTS					
Examiner Initial		Document Number	Issue / Publication Date	Inventor	Filed
	A1	5,002,551	26 Mar. 1991	Linsky, et al.	22 Aug. 1985
	A2	6,264,702 B1	24 Jul. 2001	Ory, et al.	22 Jul. 1998
	A3	2003/0023318 A1 (corresponds to DE 101 35 275 A1)	30 Jan. 2003	Simmoteit, et al.	9 Jul. 2002
	A4				

FOREIGN PATENT DOCUMENTS					
		Document Number	Publication Date	Country	Translation
	A5	101 06 546 A1	22 Aug. 2002	DE	Abstract
	A6	101 35 275 A1	30 Jan. 2003	DE	Abstract
	A7	0 099 758 A2	1 Feb. 1984	EP	N/A
	A8	1 216 717 A1	26 June 2002	EP	N/A
	A9	1 216 718 A1	26 June 2002	EP	N/A
	A10	1,186,796	2 Apr. 1970	GB	N/A
	A11	93/17635 A1	16 Sep. 1993	WO	N/A
	A12	00/16818 A1	30 Mar. 2000	WO	N/A
	A13	01/43789 A1	21 June 2001	WO	N/A
	A14	01/56475 A1	9 Aug. 2001	WO	N/A
	A15	02/09789 A2	7 Feb. 2002	WO	Abstract
	A16	02/34304 A1	2 May 2002	WO	N/A

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)		
	A17	
	A18	
	A19	
	A20	

Examiner /Phong Son Dang/	Date Considered 12/31/2008
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP ' 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.